

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

BILLY W. MOORE,)	
)	
Plaintiff,)	
)	Civil Action No. 13-23 ERIE
V)	
)	
OFFICE OF CHILDREN AND YOUTH,)	
KRIS KIRKPATRICK, BACJ)	
)	
Defendants.)	

MEMORANDUM ORDER RE: DEFENDANTS' MOTION TO DISMISS (DOC. NO. 8)

In his Complaint, *pro se* Plaintiff alleges solely that he was required to register as a sex offender under Megan's law after he pled guilty to charges of rape and indecent assault in the Erie County Court of Common Pleas. Doc. No. 3. Defendant has filed suit against the Office of Children and Youth and Kristine Kirkpatrick seemingly alleging that the victim was 19 years old, not 13 years old, when she testified against him. Id. On June 12, 2013, Defendants moved the Court to dismiss Plaintiff's Complaint in its entirety. Doc. No. 8. Plaintiff was ordered to file a Response to said Motion on or before June 14, 2013. 06/14/2013 Text Order. No Response has been filed. This case was reassigned to this Court on August 27, 2013. Doc. No. 12.

Plaintiff fails to set forth any viable claim of action against either Defendant or set forth any allegations that could be liberally construed as a request for relief. Therefore, Plaintiff's Complaint will be dismissed pursuant to Federal Rule of Civil Procedure 12(b)(6). The Court finds that amendment would be futile and therefore, Plaintiff's Complaint will be dismissed with prejudice.

AND NOW, this 29th day of August, 2013, IT IS HEREBY ORDERED THAT:

1. Defendants' Motion to Dismiss (Doc. No. 8) is **GRANTED**;
2. Plaintiff's Complaint is **DISMISSED WITH PREJUDICE**; and
3. The Clerk of Court shall mark this **CASE CLOSED**.

s/ Arthur J. Schwab
Arthur J. Schwab
United States District Judge

cc: All Registered ECF Counsel and Parties

Mr. Billy Moore
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PRO SE